Remarks

A number of claims have been rejected under the judicially created doctrine of obviousness-type double patenting. In order to render this rejection moot, appended hereto is a Terminal Disclaimer. The filing of this Terminal Disclaimer should not be viewed as an acquiescence in the rejection, but rather as a means to expedite prosecution of the application to grant.

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

Don W. Bulson, Reg. No. 28,192

1621 Euclid Avenue Nineteenth Floor Cleveland, Ohio 44115 (216) 621-1113

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper or thing referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 3, 2004

Jerinifer A. (Moore

H:\152\DWB\NEXP\P\P0149\P0149USJ.R01.wpd